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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,240	01/23/2002	Steve Carleton	3146.00004	8347

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EXAMINER

KRAMER, JAMES A

ART UNIT PAPER NUMBER

3627

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/055,240

Applicant(s)

CARLETON, STEVE

Examiner

James A. Kramer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7 and 10-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7 and 10-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5,7,10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuchwein et al. in view of "Unusual Perks Give Workers More Free Time" (hereinafter Perks).

Reuchwein et al. teaches an interactive symptomatic recording system. The system includes:

- interactive input, display, computing and storage mechanisms for querying the customer, receiving inputs of information, and storing the provided information;
- preprogrammed central computer processing unit(s) for ordering successive presentations of appropriate queries for the customer via the display means;
- a compiler to summarize the inputs received and process the summary to generate a work and/or parts order; and at least one printer to print the work order for both the customer and mechanic, billing records, and reminders to the vehicle service and other personnel for future services.

Optionally, an input mechanism can be provided to transmit data upon completion of the work to an accounting module or subsystem to facilitate preparation of the bill and notification of the customer by the accounting department (column 3; lines 7-23). Examiner notes that this teaches a communication device for communication information between a securing device and a service station. Examiner further notes that this teaches a billing system.

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Reuchwein et al. further teaches a secure depository for leaving keys to the automobile which will be repaired (column 7; lines 43-45). Examiner notes that this teaches a drop off box as a securing means.

Examiner notes that the system of Reuchwein et al. in a tracking system and includes scan swipe technology (column 12; lines 12-32).

Reuchwein et al. does not teach a billing system in communication with an employee benefits management system for communicating and billing information to said employee benefits management system.

Perks teaches RewardsPlus which is a benefits program with discounted services such as auto services (paragraph 9). Perks teaches that when an employee makes a purchase, the cost is automatically noted and deducted on the buyer's payroll slip (paragraph 15; lines 5-6). Perks further teaches that after a transaction is approved by RewardsPlus verification process, the company emails a file indicating the needed payroll deduction (paragraph 15; lines 10-13). Examiner notes that RewardsPlus is an employee benefits management system. In addition, Examiner notes that for RewardsPlus to approve a transaction a seller must be in communication with RewardsPlus (employee benefits management system) for communicating and billing information.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the billing system of Reichwein et al. in order to submit the bill to RewardsPlus (employee benefits management system) as taught by Perks. One of ordinary skill at the time of the invention would have been motivated to combine the references as taught in

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order for an employee's company to help people achieve a balance between their work and personal lives (Perks; paragraph 6; lines 1-2).

Response to Arguments

Applicant's arguments with respect to claims 1-5,7,10-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

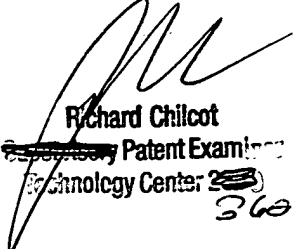
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (703) 305-5241. The examiner can normally be reached on Monday - Friday (8AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (703) 305-4716. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James A. Kramer
Examiner
Art Unit 3627

jak


Richard Chilcot
Supervisory Patent Examiner
Electronic Business Center
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